

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

**REGION 8** 999 18TH STREET - SUITE 300 DENVER, CO 80202-2466 Phone 800-227-8917 http://www.epa.gov/region08

#### LETTER AGREEMENT

This Letter Agreement between the U.S. Environmental Protection Agency ("EPA") and PacifiCorp delineates preliminary health and safety measures that PacifiCorp will take to protect its employees or contractors who enter into the control house building located inside the fenced area of the PacifiCorp substation at 333 West 100 South, Salt Lake City, Utah. EPA has informed PacifiCorp that sampling performed by EPA has revealed high levels of amphibole asbestos inside the control house building. EPA has expressed concern to PacifiCorp that human activity in the control house building may disturb dust containing the asbestos, thereby increasing the probability of inhalation of asbestos fibers. EPA has asked PacifiCorp to undertake the measures described herein to protect the safety of those PacifiCorp employees and contractors who enter the control house building. EPA acknowledges that PacifiCorp employees and contractors have reason to enter into the control house building from time to time for purposes related to operation of the substation.

This Letter Agreement is intended to remain in effect from the date last signed by a party below until: (1) the parties agree on a work plan pursuant to an Administrative Order on Consent or other mechanism approved by EPA; or (2) either party gives seven (7) days written notice to the other of its intent to terminate this Letter Agreement. In addition, the parties agree to expedite the development of a work plan for appropriate response actions in regards to amphibole asbestos that EPA has determined to be inside the control house building and at other places on and around the substation property and to negotiate in good faith an Administrative Order on Consent or other mechanism approved by EPA to govern any appropriate response action.

PacifiCorp agrees that only specifically authorized employees or contractors who abide by the terms of this Letter Agreement will enter the control house building. Any authorized employee or contractor entering the control house building will: 1) be health and safety trained in Class IV 2-hour asbestos awareness per 29 CFR 1926.1101(k)(9)(vi) and respiratory protection per 29 CFR 1910.134; and 2) be required to don prior to entering and wear for the duration of the time inside the control house building Level C protection. In addition, any such employee or contractor shall be accompanied by at least one other employee or contractor who will meet the foregoing requirements under 1) and 2) and who will also be certified for 40 hour hazardous waste training (40 CFR §1910.120). The employees or contractors will use an appropriate decontamination area and procedures upon exiting the control house building. The employees or contractors will perform no cleaning or removal work and will limit their activities to those necessary for operation of the substation. In that regard, the intended function of the employees or contractors in the control house building for the duration of this Letter Agreement will be to

monitor and control the electrical workings of the substation. While doing so, they will take all reasonable precautions to refrain from disturbing any asbestos-containing material. PacifiCorp also agrees to reduce as much as possible any activities which may cause disturbance of contaminated soils and other media in the substation area while this Letter Agreement is in effect. The parties acknowledge that any Administrative Order on Consent or other mechanism used for the appropriate response actions in regards to amphibole asbestos will contain more stringent worker training requirements than are called for herein.

Douglas Skie, Director

Office of Preparedness, Assessment and

Emergency Response U.S. EPA, Region 8

Date Signed: Z-23-04

Brent Leonard, Hirector

Environmental Services, Power Delivery

PacifiCorp |

Date Signed: 2-18-04



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Douglas Skie Director

Office of Preparedness, Assessment and

Emergency Response U.S. EPA, Region 8

Date Signed: 2-23-04

Brent Leonard, Director

Environmental Services, Power Delivery

PacifiCom

Date Signed: 2-/6-04



## FAX COVER SHEET

TO:	COMPANY:	FAX:	PHONE:
Matt Cohn		(303)312-6953	

Date:

2-18-04

# of Pages, including cover: \_3\_

### **COMMENTS:**

Matt: Please sign and return by Fax. Two original documents will be sent by mail. Keep one and return the other. Thanks

#### NOTICE OF CONFIDENTIALITY

THIS TRANSMISSION IS INTENDED ONLY FOR THE ADDRESSEE(S) LISTED ABOVE, AND MAY CONTAIN INFORMATION WHICH IS CONFIDENTIAL AND PRIVILEGED. IF YOU ARE NOT THE ADDRESSEE, ANY USE, DISCLOSURE, COPYING, OR COMMUNICATION OF THE CONTENTS OF THIS TRANSMISSION IS PROHIBITED. If this message was received in error, please telephone us immediately and we will arrange for the return to us of this message at no cost to you.

FROM:

Michael Jenkins, Assistant General Counsel

Office of the General Counsel

PacifiCorp.

201 South Main, 22nd Floor Salt Lake City, UT 84111 Telephone: (801) 220-2233

Fax: (801) 220-3299

Please deliver to addressee immediately. If transmission is incomplete or illegible, please contact Suzanne at (801) 220-4267.